

MEMORANDUM

August 18, 2004

TO: THE LOS ANGELES COUNTY CLAIMS BOARD

FROM: ROGER H. GRANBO
Principal Deputy County Counsel
General Litigation Division

RE: **Claim of Mark Oliver**
RMIS No. 04-1026569

DATE OF
INCIDENT: October 26, 2003


AUTHORITY
REQUESTED: \$60,705

COUNTY
DEPARTMENT: Fire Department

CLAIMS BOARD ACTION:

☒ Approve ☐ Disapprove ☐ Recommend to Board of
Supervisors for Approval


_____, Chief Administrative Office
ROCKY A. ARMFIELD


_____, County Counsel
JOHN F. KRATTLI


_____, Auditor-Controller
MARIA M. OMS

on October 4, 2004

SUMMARY

This is a recommendation to settle for \$60,705 a claim for damages filed by Mark Oliver, whose driveway was damaged by fire trucks and water tenders being used by members of the Los Angeles County Fire Department, who were fighting a fire in the City of Claremont.

LEGAL PRINCIPLES

The County is responsible for the negligent and intentional acts of its employees when the acts are done in the course and scope of employment.

SUMMARY OF FACTS

On October 26, 2003, the Los Angeles County Fire Department was fighting a major wild fire in the City of Claremont. The Fire Department used Mark Oliver's property, including his 300 foot long driveway, as a staging area where the fire trucks could be loaded with water from a water tender. The water tenders, loaded with 2000-3000 gallons of water, were parked on Mark Oliver's driveway. The driveway sustained extensive damage due to the weight of the water tenders and the fire trucks.

DAMAGES

The cost to repair Mark Oliver's driveway was \$60,705.

STATUS OF CASE

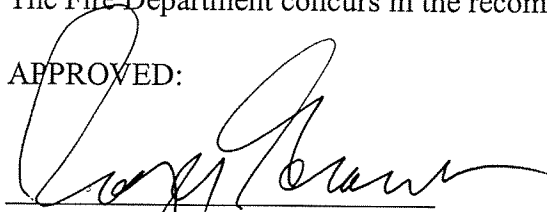

This matter is in the claims stage.

EVALUATION

The Fire Department acknowledged that its equipment caused the damage to the driveway, and confirmed the extent of the damage. Settling this matter at the claim stage will avoid incurring any litigation costs.

We join with our third party administrator, Carl Warren and Company, in recommending a settlement of this matter in the amount of \$60,705. The Fire Department concurs in the recommendation.

APPROVED:

GARY N. MILLER
Assistant County Counsel
General Litigation Division

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